

### **REMARKS**

Claims 1-3 have been previously presented, claims 4-19 are amended and claim 20 is added. As a result, claims 1-19 are pending in the application.

#### **Rejection of Claims 1, 5-11 and 13 under 35 USC §102**

The Examiner rejects Claims 1, 5-11, 13 as anticipated by U.S. Patent Number 6,636,657 (Aksyuk).

Independent Claim 1 is directed to an optical equalizer. The claim specifies optics that cause “light signals to separate as the light signals travel through (a) light distributor” and “attenuators configured to attenuate the light signals in a region of the light distributor.” In contrast, Aksyuk teaches optical fibers that connect a demultiplexer and a plurality of MEMS devices. See column 4, line 41-43. Light signals are separated in the demultiplexer and attenuated at the MEMS device. Because, the MEMS device is remote from the demultiplexer, Aksyuk does not teach a light distributor where light signals are both separated and attenuated. As a result, Aksyuk does not teach each element of the claims and the Examiner is respectfully requested to withdraw the rejections.

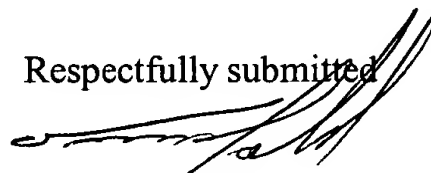
#### **Rejection of Claims 17-19 under 35 USC §102**

The Examiner rejects Claims 17-19 as anticipated by U.S. Patent Number 6,636,657 (Aksyuk). Independent Claim 17 is directed to an optical equalizer. Independent Claim 17 specifies at least one attenuator “configured to attenuate a plurality of the light signals.” Independent Claim 19 specifies at least one attenuator “employed so as to attenuate a plurality of the light signals.” In contrast, Aksyuk teaches “each demultiplexed signal is connected ... to a separate reflective attenuator.” See column 3, lines 36-38. Accordingly, Aksyuk does not teach one attenuator configured to attenuate a plurality of light signals as is claimed and the Examiner is respectfully requested to withdraw the rejections.

## CONCLUSION

In light of the Amendments and arguments set forth above, Applicants believe they are entitled to a letters patent. The Examiner is encouraged to telephone the undersigned with any questions.

Respectfully submitted



TRAVIS DODD

Reg. No. 42,491

Date: 3/9/04

Law Offices of Travis Dodd  
A Professional Corporation  
2490 Heyneman Hollow  
Fallbrook, CA 92028  
Telephone 1: (760) 415-2352  
Telephone2: (760) 731-3091  
Fax: (760) 728-1541  
e-mail: Lisdodd@aol.com